

**BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON
BOARD MEETING MINUTES
November 9, 2009**

The Board of County Commissioners for Lewis County, Washington met in regular session on Monday, November 9, 2009, at 10:00 a.m. **COMMISSIONERS RON AVERILL, P.W. SCHULTE and F. LEE GROSE** were in attendance. **Chairman Grose** determined a quorum, called the meeting to order and proceeded with the flag salute. **Commissioner Schulte** moved to approve the minutes from the 10:00 a.m. meeting held on Monday, November 2, 2009. **Commissioner Averill** seconded.

Motion Carried 3-0

Public Comment

Jack Tipping, Onalaska had recently inquired to the City of Lakewood regarding there e-verify ordinance to inquire if they have had an adverse impact since adopting the ordinance. The Mayor responded saying to summarize; there has been virtually no impact to workload or contract administration. Enrollment with the Department of Homeland Security is accomplished at no cost and the program is very easy to use.

Commissioner Averill asked that Mr. Tipping stay around after this meeting to speak with him further about some elements of this program. We are implementing the federal aspect of e-verify which is going to be demanded by all government entities by contract. The other aspect is a little problematic but he said he will discuss this with Mr. Tipping.

Consent

Commissioner Averill made a motion to approve Consent Items one through seven. **Commissioner Schulte** seconded the motion. Candace Hallom, Interim Clerk of the Board read the items into the record.

1. Resolution No. 09-365 Approving a two-year Personal Service Agreement Extension with Butler Amusements, Inc.

Michael Strozyk, Central Service stated Butler Amusements is our contract for carnival services at the SWW Fair. The contract we are extending has been in place for the past five years. This contract does allow for a two year extension if both parties would like to do that. We have had success with Butler Amusements, especially due to the limited number of carnivals there are out there. There is one change to this contract; we changed the minimum amount from \$71,500 to \$72,500 that Butler will have to pay the County during an off year. Traditionally, that won't be an issue, over the past few years we have averaged \$115,000 to \$119,000 under this contract.

Commissioner Averill asked for clarification on how we get our money.

Michael Strozyk stated if you look through the contract there is a percentage that we get. The more Butler Amusement sells the more we get, the percentage goes up after that.

2. Resolution No. 09-366 Authorizing application documents through U.S. Banks for County credit cards.

Commissioner Averill stated we are about to end a contract that is done through the State for all the Cities and Counties for travel credit cards through JP Morgan Chase banks which the State has ended that contract. The new contract is with US Bank and what we are doing this morning is authorizing the application documents for US Bank for County credit cards replacing the JP Morgan Chase cards. These cards are used by county staff including our elected officials to cover travel expenses

3. Resolution No. 09-367 Approving extending the closure of Winlock Vader Road to all through traffic.

John Huestis, Public Works stated this is the third time having to extend the closure of Winlock Vader Road due to a variety of issues, some of them being unforeseen sight conditions that have necessitated change in the design component. While we are asking for a two month additional closure we do expect that it is likely that toward the end of November early December we will have the road open.

Commissioner Averill noted that the board recognizes that this has been tremendous handicap for the people in the southwest corner of the County between Vader and Winlock. The road was knocked out in the 2007 flood and we have had limited traffic going through one lane for almost 18 months and closed for almost 3 months. When the contractor started the planning for shoring up the road so he could pave it, we found the fault was much broader than anticipated and we have had to make adjustment so that we can have a road that is stable permanently.

4. Resolution No. 09-368 Approving a master inter-local with the Chehalis-Centralia Airport.

John Huestis, Public Works stated this is a new process were we are executing five year master interlocal agreements with various agencies that desire to do reimbursable work performed by Public works. Once the master agreement is in place we would have a task list which will help streamline the projects. This agreement is for a period of five years and will expire on December 31, 2014. The types of work that we will do will be some maintenance, striping, and various maintenance type activities.

Commissioner Averill asked when a party asks us to do something, then do we give them a reimbursable voucher and they pay us for the work?

John Huestis responded saying they tell us what they want done and we send an engineer to do an estimate of cost and we give that to them. If they have the money and want to proceed we will add it to our task list and make sure the work gets done.

5. Resolution No. 09-369 Approving a Local Agency Agreement and Federal Aid Prospectus with WSDOT for the Newaukum Bridge No. 20 Replacement Project-Phase II.

John Huestis, Public Works stated this project has been on our books for some time because of various environmental studies that were required to be done. This resolution will amend the prospectus that was entered into in 2002 and will also supplement for construction funding for this project. This project is #26 on our 2009-2014 six year Transportation Improvement Programs. Originally, we had estimated at \$2.3 million cost in 2002 and since that time we have seen an increase in material cost and currently the cost of the construction of the bridge is at \$4.9 million. Fortunately, the majority of this is 100% federally funded through the Bridge Replacement Program. At this point in time Lewis County will be responsible for \$180,000 for the construction of the bridge and overall project including the design and engineer phase will be \$311,000. This project will go to add shortly after the execution of this and we look at a start up in spring of 2010.

Commissioner Averill stated we have had a number of changes that have come in place because of the 2007 and 2009 flood. When we started this project we left the bridge as it is currently oriented and now the new bridge will have to be re-oriented.

John Huestis stated we did the design of the bridge and then had a major flood that changed the course of the Newaukum river. The river looked like it was going to cut off the road and bridge so we had to change the design of the bridge adding retaining walls. We also entered into agreement with WSDOT local programs and Federal Highways to perform a phase I of the project to stabilize the embankments so it would not continue to shift. That was phase I of the project and this will be phase II

6. Resolution No. 09-370 Approving an amendment to the September 2009, agreement with Futurewise, the City of Centralia, J. Frank Schmidt & Son Profit Sharing Trust, and Eugene Butler regarding settlement of WWGMHB case No. 09-2-0005

Glenn Carter, Prosecutors Office stated item 6 deals with a settlement that was reached in September 2009 concerning the City of Centralia Urban Growth Area. You will recall back in December of 2008 we as a board approved the expansion of the City of Centralia UGA on two ends; on the western end to include the old Mahoney dairy and on the north eastern end to include about 280 acres that is now owned by the Frank Schmidt and Son Profit Sharing Trust.

Commissioner Averill noted that this was after going through the planning process starting with the Programmed Committee that we have with the cities, for the UGA expansion and got the approval of that body; then went before the Planning

Commission; then came to the County Commissioner and we approved it. Then it went forth to the Growth Hearing board at which time it was challenged.

Glenn Carter stated that is correct, however, in September we did reach a settlement of the Growth Board appeal and in that settlement it provides for the processing for the proposal that would finalize the rezoning of the north eastern parcel, the 280 acres; but, that would provide for the withdrawal of the 80 acres which is the old dairy farm from the UGA back into the County. The zoning would be reapplied to what was applicable immediately before the expansion of the UGA. We anticipated that we would be able to process this through the Planning Commission and this Board by the end of November. However, as a result of various matters it has been impossible to complete that processing on time. So as a result we have entered into an amendment to the settlement agreement that would provide an additional 30 days to complete the processing of the proposal to withdrawal the 80 acre parcel from the west end of the Centralia UGA. What we have before you today is the approval by this Board of the extension of the 30 days to complete this process.

Commissioner Averill stated that the agreement we made with the parties is that we consider the proposal.

7. Resolution No. 09-371 Bid award for the Low Cost Run Off Safety Improvement Projects.

John Huestis, Public Works stated this is for a grant from Federal Highways administered by WSDOT for about \$350,000 to make wide spread minor improvements to safety related items to the roadways. This project is going to provide new striping, recessed center line pavement markers, flexible guide post, and new upgraded signs with the high retro reflectivity sheeting on them. This bid was to purchase the sign materials. We had three bidders on this. We had Zummar industries, Traffic Safety Supply Company, and Correctional Industries. Correction industries bid was nonresponsive because they did not acknowledge the receipt of the addendum that went out before the bids were to be received. Zummar was the low bidder at \$72,212.85 the engineers estimate was \$102,250.

Motion carried 3-0

Bid Opening

Bid Opening LCWD #1 Phase II Water System Improvements

Chairman Grose announced the bid opening and asked staff for a report.

John Huestis, Public Works the initial call for bid was made on August 17th, 2009 with a bid opening of September 14th after some consideration those bids were rejected due to discovery of several inconsistencies between the WSDOT standard specs and the special provision in the contract documents. We issued a new call for bid on October 5th, 2009 and we are here to open bids for that second call. This is for the Lewis County Water District #1Phase II Water System Improvements. This is to complete a new well

with a submergible pump, pit less adapters, valves, piping and appertinences and different types and sizes of ductile iron transmission lines, new booster pump station, a building with power, lighting, ventilation, drainage, and other work. The Lewis County Water District #1 is in Randle. The engineers estimate is \$589,140 and there were two addendums issued. Addendum #1 change the bid open date from November 2, 2009 to today November 9, 2009. Addendum #2 added the new federal prevailing wage modification #34 and was dated October 23, 2009. Once we review this today we expect to recommend and award on November 16, 2009

Contractor	Address	Amount
Clackamas Construction, Inc	Boring, OR	\$534,278.18
TL McConnell Construction, Inc	Port Townsend, WA	\$572,915.54
HPS Construction		\$665,011.74
BC Balmelli	Chehalis, WA	\$544,615.21
Lincoln Construction, Inc	Spanaway, WA	\$639,617.61
RP & E Construction, Inc	Ellensburg, WA	\$592,636.48

John Huestis stated he will take the bids back to the office to do the math and ensure all required bid proposal documents are included. They anticipated returning to the board with a recommendation on November 16, 2009.

Bid Opening Vehicle Mounted Automatic Recognition Systems

Chairman Grose announced the bid opening and asked staff for a report.

Michael Strozyk, Central Services stated the bid opening this morning is for an automatic license plate recognition system. It is part of our homeland security programs specifically the Law Enforcement Terrorist Prevention Program that we have in Lewis County. We currently have one system in place already. The Police Chief and Sheriff's office wanted to expand that system with available funding. The program was vetted and approved by the State Homeland Security Commission and as part of that we went out to bids to purchase the equipment to expand into another two camera reader and another three camera reader.

Contractor	Address	Amount
Day Wireless System	Longview, WA	\$31,139.54
MPH Industries	Owensboro, KY	\$72,881.00

Michael Strozyk stated the MPH bid is not an all inclusive bid and is broken into 16 various modules. The bid did call for a base price quotation so he will have to go and look at this to report back to the board. He stated he is not sure if this is in compliance but by looking at the bid he can see it is drastically higher than the other bid.

Commissioner Averill asked that when he gets the total to please give the number to the Clerk.

Michael Strozyk stated he will send a memo with the total.

Hearing

Hearing: To approve a resolution for the 4th 2009 budget amendment for Current Expense and various funds in the amount of \$2,418,033

Chairman Grose announced the hearing and asked for a staff report.

Dawna Truman, Budget Manager stated she is here to present the 4th budget amendment for 2009. This budget amendment was published in the East County Journal on October 28th and November 4th. The one thing that we are doing with this budget amendment is we are changing the limitation on salary and benefits to include all expenditures being able to be spent by each department office for the total appropriation. Up to this point they were only able to spend the budget per salary and benefits for Salary and Benefits and operations separately. This allows them to spend their entire budget on whatever they need to spend it on. This budget amendment for 2009 affects the current expense by \$269,717 but only uses reserves of \$38,515 because we have offsetting revenue for the balance. The balance of this budget amendment is for other funds not our current expense fund and its total is \$2,418,033. Some of the highlights in this amendment; Juvenile Detention was awarded five new grants for operations the total expenditure will be \$144,848 the balance of the expenditure between that and the revenue of \$188,025 will go in the fund balance for current expense, The Auditor's office is increasing their budget by \$15,692 for use of fund balance and increasing expenditures for the ASI scoping project costs for the finance system. Prosecutor office was increased by \$66,000 and we are using fund balance and increasing expenditures for the procurement of legal services regarding agricultural land designations. Community Development has received a grant from Department of Ecology this will provide work in the Cowlitz and Chehalis River Basins and is in the amount of \$200,000. Social Services is spending money from a dedicated housing fund that was not originally budgeted in the 2009 budget for the amount of \$318,738. Self Reserve fund is doing a transfer out to another fund, fund 510, for a cash pension and surety requirement in the amount of \$200,000. Community Development is using fund balance and increasing expenditures for South County Utility Planning in the amount of \$30,000. Distress Counties is increasing in the amount of \$800,000 this is dedicated money distressed County project approved. County Insurance is increased, including \$200,000 being transferred into it for \$582,578 that is for the Lewis County Sheriff's Office cash pension and insurance payment. Community Development is using fund balance and increasing expenditures for the connection of the South County Airport water and sewer to the Cowlitz Tribal Housing at the old St Mary's Mission site in the amount of \$17,000. The notice amount for this amendment was \$1,899,295 the changes from the original notices amount are the \$200,000 for Community Development and the \$318,738 for Social Services for a total amendment about to \$2,418,033.

Commissioner Averill stated budgeting can be confusing and when we send out a budget we are generally making guesses both on revenue and or expenditures and typically during the year things happen that are unanticipated and in order to keep the budget balanced it is necessary to make amendments periodically through the year so

this is the 4th one we are doing this year and we will probably have one more by the end of the year.

Dawna Truman stated the next budget amendment is December 21st and if anything needs to be cleaned up there will be one in January.

Commissioner Averill stated it is essentially cleaning up, adding revenues received that were not anticipated, and moving around funds that either were anticipate but in separate budget or were unanticipated and we had to find resources to pay the bills.

Chairman Grose asked if there were any more questions. There were none. He closed the question, answer portion of the hearing, and opened the formal hearing.

Dawna Truman asked that her previous comments be adopted into the record.

Chairman Grose asked for any public comment. There were none. He closed the hearing.

Commissioner Averill made a motion to approve resolution number 09-372 Lewis County emergency supplemental appropriation. **Commissioner Schulte** seconded the motion. Candace Hallom, Interim Clerk of the Board read the item into the record.

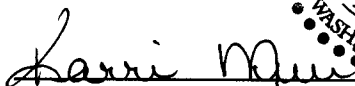
Motion Carried 3-0

There being no further business, the Commissioners' public meeting adjourned at 10:57 am on November 9, 2009. The next public meeting will be held Monday, November 16, 2009, at 10:00 a.m.

Please note that minutes from the Board of County Commissioners' meetings are not verbatim. A recording of the meeting may be purchased at the Commissioners' office.

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

ATTEST:


Clerk of the Board
Lewis County Commissioners




F. Lee Grose, Chairman


Ron Averill, Commissioner


P.W. Schulte, Commissioner